



## 2005 SENATE BILL 35

February 2, 2005 - Introduced by Senators LEIBHAM, KANAVAS, DARLING and GROTHMAN, cosponsored by Representatives SUDER, LOEFFELHOLZ, NASS, HINES, GUNDRUM, KERKMAN, MCCORMICK, LEMAHIEU, JESKEWITZ, F. LASEE, HONADEL, MUSSER, J. FITZGERALD, ALBERS, HUNDERTMARK, PETROWSKI, VRAKAS, FIELDS, NISCHKE, FREESE, GIELOW and JENSEN. Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

1     **AN ACT** *to amend* 72.01 (11m) and 72.01 (11n); and *to create* 72.36 of the  
2           statutes; **relating to:** eliminating the estate tax.

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***Analysis by the Legislative Reference Bureau***

This bill eliminates the state estate tax beginning with deaths occurring on January 1, 2006.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3           **SECTION 1.** 72.01 (11m) of the statutes is amended to read:  
4           72.01 (**11m**) "Federal credit" means, for deaths occurring after September 30,  
5           2002, and before January 1, ~~2008~~ 2006, the federal estate tax credit allowed for state  
6           death taxes as computed under the federal estate tax law in effect on December 31,  
7           2000, and for deaths occurring after ~~December 31, 2007~~, the federal estate tax credit

**SENATE BILL 35****SECTION 1**

1 ~~allowed for state death taxes as computed under the federal estate tax law in effect~~  
2 ~~on the day of the decedent's death.~~

3 **SECTION 2.** 72.01 (11n) of the statutes is amended to read:

4 72.01 (11n) "Federal estate tax" means, for deaths occurring after September  
5 30, 2002, and before January 1, ~~2008~~ 2006, the federal estate tax as computed under  
6 the federal estate tax law in effect on December 31, 2000, ~~and for deaths occurring~~  
7 ~~after December 31, 2007, the federal estate tax as computed under the federal estate~~  
8 ~~tax law in effect on the day of the decedent's death.~~

9 **SECTION 3.** 72.36 of the statutes is created to read:

10 **72.36 Sunset.** The tax imposed under this chapter does not apply to deaths  
11 occurring after December 31, 2005.

12 (END)